

**LEVI & KORSINSKY, LLP**

Donald J. Enright  
1101 30th Street NW  
Suite 115  
Washington, DC 20007  
Tel.: (202) 524-4292  
Fax: (202) 333-2121  
Email: denright@zlk.com

*Counsel for Movants and  
[Proposed] Lead Counsel for the Class*

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

CREIGHTON TAKATA, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,  
BIOPTIX, INC., JOHN O'ROURKE, and  
JEFFREY G. MCGONEGAL,

Defendants.

JOSEPH J. KLAPPER, JR., individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

RIOT BLOCKCHAIN, INC. F/K/A,  
BIOPTIX, INC., JOHN O'ROURKE, and  
JEFFREY G. MCGONEGAL,

Defendants.

) C.A. No. 3:18-cv-2293

)

) **MEMORANDUM OF LAW IN**  
) **SUPPORT OF THE MOTION**  
) **OF THE KLAPPER, RANA**  
) **AND ESTOESTA GROUP FOR**  
) **CONSOLIDATION,**  
) **APPOINTMENT AS LEAD**  
) **PLAINTIFF AND APPROVAL**  
) **OF SELECTION OF**  
) **COUNSEL**

)

) **MOTION DATE: May 21, 2018**

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) C.A. No. 3:18-cv-8031

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## **DECLARATION OF DONALD J. ENRIGHT**

I, Donald J. Enright, hereby declare that:

1. I am a partner of the law firm Levi & Korsinsky, LLP, proposed Lead Counsel for movants Joseph J. Klapper, Jr., Ashish Rana and Sonia C. Estoesta (collectively, the “Klapper, Rana and Estoesta Group” or “Group”). I respectfully submit this declaration in support of the Group’s Motion for Consolidation, Appointment as Lead Plaintiff, and Approval of Selection of Counsel in the above-captioned action (the “Motion”). I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. I have attached hereto true and correct copies of the following:

Exhibit 1: The Group’s members’ Certifications.

Exhibit 2: Tables reflecting the calculated losses incurred by the Group as a result of transactions in Riot Blockchain, Inc. securities.

Exhibit 3: The Group’s Joint Declaration in support of the Motion.

Exhibit 4: Press release published February 17, 2018, on *Business Wire* announcing the pendency of the lawsuit commenced by Creighton Takata against defendants herein.

Exhibit 5: Firm resume of Levi & Korsinsky, LLP.

3. I declare under penalty of perjury that the foregoing is true and correct.

***[Continued on Following Page]***

Dated: April 18, 2018

**LEVI & KORSINSKY, LLP**

/s/ Donald J. Enright

Donald J. Enright

Elizabeth K. Tripodi (*pro hac vice to be submitted*)

John A. Carriel (*pro hac vice to be submitted*)

**LEVI & KORSINSKY, LLP**

1101 30th Street, N.W., Suite 115

Washington, D.C. 20007

Telephone: (202) 524-4292

Facsimile: (202) 333-2121

Email: denright@zlk.com

Email: etripodi@zlk.com

Email: jcarriel@zlk.com

*Counsel for Movants*

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